

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Motion GRANTED.

GREGORY CATHEY,

Petitioner,

v.


UNITED STATES OF AMERICA,

Respondent.

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Case No. 3:09-cv-00429

Judge Trauger



MOTION TO DISMISS

The United States, by and through undersigned counsel, formally moves this Court to dismiss the defendant's motion in this matter.

The defendant originally initiated this cause seeking to have his federal sentence ordered to be served concurrently with his state sentence. The United States responded by asking this Court to stay the proceedings so the defendant could first pursue administrative remedies, and then pursue a Section 2241 motion. DE# 18. This Court granted that motion on October 6, 2009. DE# 19. The matter has remained stayed with no further action under this case heading since then.

Earlier this year on January 17, 2014, in the underlying criminal case, this Court received a letter from the Bureau of Prisons requesting guidance on the manner of service of sentence. Case No. 3:05-cr-00051, DE#47. This Court entered the letter into the record and requested that the BOP run the sentences concurrently. Case No. 3:05-cr-00051, DE#48.